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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 TOR AHMADD BISHOP,

12 Plaintiff,

13 v.

14 G. DODSON, et al.,

15 Defendants.  
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No. 2:20-cv-2032-EFB P

ORDER


17 Plaintiff is a state prisoner proceeding without counsel in an action brought under 42  
18 U.S.C. § 1983. He requests that the court assist him and/or appoint counsel. The court cannot  
19 assist plaintiff in the form of legal advice. The court will remind plaintiff, however, that he must  
20 filed a second amended complaint as originally ordered on February 4, 2021, ECF No. 22, and  
21 extended on March 4, 2021, ECF No. 26.

22 District courts lack authority to require counsel to represent indigent prisoners in section  
23 1983 cases. *Mallard v. United States Dist. Court*, 490 U.S. 296, 298 (1989). In exceptional  
24 circumstances, the court may request an attorney to voluntarily to represent such a plaintiff. *See*  
25 28 U.S.C. § 1915(e)(1); *Terrell v. Brewer*, 935 F.2d 1015, 1017 (9th Cir. 1991); *Wood v.*  
26 *Housewright*, 900 F.2d 1332, 1335-36 (9th Cir. 1990). When determining whether “exceptional  
27 circumstances” exist, the court must consider the likelihood of success on the merits as well as the  
28 ability of the plaintiff to articulate his claims pro se in light of the complexity of the legal issues

1 involved. *Palmer v. Valdez*, 560 F.3d 965, 970 (9th Cir. 2009). Having considered those factors,  
2 the court finds there are no exceptional circumstances in this case.

3 Accordingly, IT IS ORDERED that plaintiff's request for court assistance/appointment of  
4 counsel (ECF No. 27) is DENIED.

5 DATED: March 30, 2021.

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7 EDMUND F. BRENNAN  
8 UNITED STATES MAGISTRATE JUDGE  
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